

REMARKS

Claims 1-6 and 17-28 remain pending in the application, withdrawn claims 7-16 being canceled herein.

Claims 1-6 and 17-28 variously over LaPorta, Holmes, Granstam, Couts and Sladek

In the Office Action, claims 1, 3, 5, 17, 19, 21, 23, 25 and 27 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over U.S. Pat. No. 5,959,543 to LaPorta et al. ("LaPorta") in view of U.S. Pat. No. 6,134,432 to Holmes et al. ("Holmes"); claims 2, 18 and 24 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over LaPorta in view of Holmes, and further in view of U.S. Pat. No. 6,587,691 to Granstam et al. ("Granstam"). The Applicants respectfully traverse the rejections.

Claims 1-6 recite a plurality of subscriber queues outside of a wireless carrier's network each queue corresponding to a DIFFERENT subscriber in the wireless network, said short message being placed in at least one of the plurality of subscriber queues before delivery to the wireless carrier's network. Claims 17-28 recite placing a short message in at least one of a plurality of subscriber queues outside of a wireless carrier's network before delivery to the wireless carrier's network, the plurality of subscriber queues each corresponding to a DIFFERENT subscriber in the wireless carrier's network.

LaPorta teaches an unacknowledged message queue (UMQ) structure 110, which contains messages that are to be delivered on a downlink. But LaPorta's queue's are WITHIN a carrier's network, and moreover "logically organized on a per messaging DEVICE basis." (LaPorta, col. 13, lines 5-8) (emphasis added) LaPorta fails to disclose, teach or suggest a plurality of subscriber queues OUTSIDE of a wireless carrier's network, much less one in which each queue corresponds to a DIFFERENT subscriber in the wireless network, as claimed by claims 1-6 and 17-28.

The Examiner cites Holmes for allegedly SMTP messaging protocol (Office Action at 2-3). Nevertheless, Holmes fails to disclose, teach or suggest a

plurality of subscriber queues OUTSIDE of a wireless carrier's network, much less one in which each queue corresponds to a DIFFERENT subscriber in the wireless network, as claimed by claims 1-6 and 17-28.

The Examiner goes on to reject claims 2, 18 and 24 in particular in view of LaPorta, Holmes and Granstam, explaining that Granstam teaches "RMI messaging protocol" (Office Action at 4). Again, just like in the case of both LaPorta and Holmes, Granstam similarly fails to disclose, teach or suggest use of a plurality of subscriber queues OUTSIDE of a wireless carrier's network, much less one in which each queue corresponds to a DIFFERENT subscriber in the wireless network, as claimed by claims 1-6 and 17-28.

The Examiner also rejects claims 4, 20 and 26 in view of LaPorta, Holmes and Couts, citing Couts for allegedly teaching the use of FIFO message queues. (Office Action at 4). That teaching notwithstanding, Couts fails to disclose, teach or suggest use of a plurality of subscriber queues OUTSIDE of a wireless carrier's network, much less one in which each queue corresponds to a DIFFERENT subscriber in the wireless network, as claimed by claims 1-6 and 17-28.

In yet another rejection, this time of claims 6, 22 and 28, and based on LaPorta in view of Holmes, and further in view of Sladek, the Examiner alleges that Sladek teaches utilization of a Wireless Intelligent Network (WIN). (Office Action at 5). Again, just like in the earlier claims with respect to other dependent claims, Sladek too fails to disclose, teach or suggest use of a plurality of subscriber queues OUTSIDE of a wireless carrier's network, much less one in which each queue corresponds to a DIFFERENT subscriber in the wireless network, as claimed by claims 1-6 and 17-28.

Thus, the references of LaPorta, Holmes, Granstam, Couts, Sladek, in any combination, still fail to disclose, teach or suggest the invention of claims 1-6 and 17-28 as claimed.

Accordingly, for at least all the above reasons, claims 1-6 and 17-28 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



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